

E-FILED August 17, 2010

SYLVESTER & POLEDNAK, LTD.
 JEFFREY R. SYLVESTER, ESQ.
 Nevada Bar No. 4396
 DONALD T. POLEDNAK, ESQ.
 Nevada Bar No. 4721
 7371 Prairie Falcon Road, Suite 120
 Las Vegas, Nevada 89128
 Telephone: (702) 952-5200
 Facsimile: (702) 952-5205
jeff@sylvesterpolednak.com
don@sylvesterpolednak.com

8 Attorneys for Creditor Credit Suisse, Cayman Islands Branch

SKADDEN, ARPS, SLATE,
 MEAGHER & FLOM LLP
 Van C. Durrer, II, Esq. (*Pro Hac Vice*)
 Ramon M. Naguiat, Esq. (*Pro Hac Vice*)
 300 South Grand Avenue, #3400
 Los Angeles, California 90071-3144
 Telephone: (213) 687-5000
 Facsimile: (213) 687-5600
van.durrer@skadden.com
ramon.naguiat@skadden.com

UNITED STATES BANKRUPTCY COURT

DISTRICT OF NEVADA

In re:

12 THE RHODES COMPANIES, LLC, aka
 "Rhodes Homes," et al.,

13 Debtors.

10 Case No. BK-S-09-14814-LBR
 (Jointly Administered)
 Chapter 11

NOTICE OF HEARING ON MOTION TO APPROVE STIPULATION RESOLVING REORGANIZED DEBTORS' OBJECTION TO CREDIT SUISSE'S MOTION TO COMPEL REIMBURSEMENT OF FEES AND EXPENSES PURSUANT TO CONFIRMATION ORDER AND CASH COLLATERAL ORDER

Affects:

- All Debtors
- The following Debtor(s)

Date: August 24, 2010

Time: 1:30 p.m.

Judge: Honorable Linda B. Riegle

20 NOTICE IS HEREBY GIVEN that CREDIT SUISSE AG, CAYMAN ISLANDS BRANCH¹
 ("Credit Suisse") Motion to Approve (the "Approval Motion") its "Stipulation [Doc. No. 1210] (the
 21 "Stipulation") Resolving the REORGANIZED DEBTORS' (the "Reorganized Debtors")² Objection

23 ¹ This entity was formerly known as "Credit Suisse, Cayman Islands Branch," as agent under the first lien Credit
 Agreement Dated as of November 21, 2005, among Heritage Land Company, LLC, The Rhodes Companies, LLC, and
 Rhodes Ranch General Partnership, as the Borrowers, the Lenders Listed [Th]erein, as the Lenders, and Credit Suisse,
 Cayman Islands Branch, as Administrative Agent, Collateral Agent, Syndication Agent, Sole Bookrunner and Sole Lead
 Arranger (as amended, restated, amended and restated, supplemented, or otherwise modified from time to time, the "First
 24 Lien Credit Agreement," and the lenders thereunder, the "First Lien Lenders").

26 ² The "Debtors" in these cases, along with their case numbers are: Heritage Land Company, LLC (Case No. 09-14778);
 The Rhodes Companies, LLC (Case No. 09-14814); Tribes Holdings, LLC (Case No. 09-14817); Apache Framing, LLC
 (Case No. 09-14818); Geronimo Plumbing LLC (Case No. 09-14820); Gung-Ho Concrete LLC (Case No. 09-14822);
 Bravo, Inc. (Case No. 09-14825); Elkhorn Partners, a Nevada limited partnership (Case No. 09-14828); Six Feathers
 Holdings, LLC (Case No. 09-14833); Elkhorn Investments, Inc. (Case No. 09-14837); Jarupa, LLC (Case No. 09-
 27 14839); Rhodes Realty, Inc. (Case No. 09-14841); C&J Holdings, Inc. (Case No. 09-14843); Rhodes Ranch General
 Partnership (Case No. 09-14844); Rhodes Design and Development Corporation (Case No. 09-14846); Parcel 20, LLC
 (Case No. 09-14848); Tuscany Acquisitions IV, LLC (Case No. 09-14849); Tuscany Acquisitions III, LLC (Case No.
 28 09-14850); Tuscany Acquisitions II, LLC (Case No. 09-14852); Tuscany Acquisitions, LLC (Case No. 09-14853);
 Rhodes Ranch Golf Country Club, LLC (Case No. 09-14854); Overflow, LP (Case No. 09-14856); Wallboard, LP (Case
 No. 09-14858); Jackknife, LP (Case No. 09-14860); Batcave, LP (Case No. 09-14861); Chalkline, LP (Case No. 09-
 14862); Glynda, LP (Case No. 09-14865); Tick, LP (Case No. 09-14866); Rhodes Arizona Properties, LLC (Case No.

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[Doc. No. 1164] (the “Objection”) to Credit Suisse’s Motion to Compel Reimbursement of Fees and Expenses” [Doc. No. 1143] (the “Reimbursement Motion”) [Doc. 1224] was filed on August 11, 2010, by the law firm of Sylvester & Polednak, Ltd. This Approval Motion is made at the Court’s request and pursuant to Bankruptcy Code §§ 105(a) and 1142(b), and Fed. R. Bankr. P. 3021 and 9019 will be heard on shortened time at the above-referenced time and place.

A copy of the above-referenced Approval Motion was filed with the Clerk of the U.S. Bankruptcy Court for the District of Nevada and is available upon request from the undersigned attorney or can be accessed on PACER at (<http://ecf.nvb.uscourts.gov>).

This Approval Motion will be heard on an Order Shortening Time [Doc. No. 1262] pursuant to Local Rule 9006(c)(1), a copy of which Order is attached hereto as *Exhibit “A,”* and is incorporated herein by reference. Pursuant to this Order Shortening Time, any Opposition must be filed and served by *August 18, 2010.*

If an objection is not timely filed and served (i.e., by *August 18, 2010*), the relief requested may be granted without a hearing.

If an objection is not timely filed and served, the relief requested may be granted without a hearing.

If you object to the relief requested, you *must* file a **WRITTEN** response to this pleading with the court. You must also serve your written response on the person who sent you this notice.

If you do not file a written response with the court, or if you do not serve your written response on the person who sent you this notice, then:

- (a) The court may *refuse to allow you to speak* at the scheduled hearing; and
- (b) The court may *rule against you* without formally calling the matter at the hearing.

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09-14868); Rhodes Homes Arizona, LLC (Case No. 09-14882); Tuscany Golf Country Club (Case No. 09-14884); and Pinnacle Grading, LLC (Case No. 09-14887).

1 NOTICE IS FURTHER GIVEN that a hearing on said Approval Motion will be held before
2 the Honorable United States Bankruptcy Judge Linda B. Riegle, in the Foley Federal Building, 300
3 Las Vegas Boulevard South, Courtroom 1, Las Vegas, Nevada 89101, on the 24th day of August,
4 2010, at the hour of 1:30 p.m.

5
6 DATED this 17th day of August, 2010.
7
8 By: 
9 SYLVESTER & POLEDNAK, LTD.
10 Donald T. Polednak, Esq. (Nevada Bar No. 4721)
11 7371 Prairie Falcon Road, Suite 120
12 Las Vegas, Nevada 89128
13 james@sylvesterpolednak.com
14
15 and
16 SKADDEN, ARPS, SLATE,
17 MEAGHER & FLOM LLP
18 Van C. Durrer, II, Esq. (admitted *pro hac vice*)
19 Ramon M. Naguiat, Esq. (admitted *pro hac vice*)
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21 Los Angeles, California 90071-3144
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23 ramon.naguiat@skadden.com
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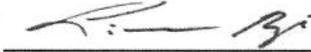
EXHIBIT A

EXHIBIT
A

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Entered on Docket
August 16, 2010


Hon. Linda B. Riegle
United States Bankruptcy Judge

SYLVESTER & POLEDNAK, LTD.
JEFFREY R. SYLVESTER, ESQ.
Nevada Bar No. 4396
JAMES B. MacROBBIE, ESQ.
Nevada Bar No. 7430
7371 Prairie Falcon Road, Suite 120
Las Vegas, Nevada 89128
Tel: (702) 952-5200 / Fax: (702) 952-5205
jeff@sylvesterpolednak.com

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300 South Grand Avenue, #3400
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THE RHODES COMPANIES, LLC, aka
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Debtors.

Case No. BK-S-09-14814-LBR
(Jointly Administered)
Chapter 11

**ORDER GRANTING EX PARTE MOTION
FOR ORDER SHORTENING TIME RE:
MOTION TO APPROVE STIPULATION
RESOLVING REORGANIZED DEBTORS'
OBJECTION TO CREDIT SUISSE'S
MOTION TO COMPEL
REIMBURSEMENT OF FEES AND
EXPENSES PURSUANT TO
CONFIRMATION ORDER AND CASH
COLLATERAL ORDER**

Affects:

- All Debtors
- The following Debtor(s)

Date: August 24, 2010

Time: 1:30 p.m.

Judge: Honorable Linda B. Riegle

This Court having considered CREDIT SUISSE AG, CAYMAN ISLANDS BRANCH¹ ("Credit Suisse"), Ex Parte Motion for an Order Shortening Time Re: "Motion to Approve (the "Approval Motion") its "Stipulation [Doc. No. 1210] (the "Stipulation") Resolving the

¹ This entity was formerly known as "Credit Suisse, Cayman Islands Branch," as agent under the first lien Credit Agreement Dated as of November 21, 2005, among Heritage Land Company, LLC, The Rhodes Companies, LLC, and Rhodes Ranch General Partnership, as the Borrowers, the Lenders Listed [Th]erein, as the Lenders, and Credit Suisse, Cayman Islands Branch, as Administrative Agent, Collateral Agent, Syndication Agent, Sole Bookrunner and Sole Lead Arranger (as amended, restated, amended and restated, supplemented, or otherwise modified from time to time, the "First Lien Credit Agreement," and the lenders thereunder, the "First Lien Lenders").

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1 REORGANIZED DEBTORS' (the "Reorganized Debtors")² Objection [Doc. No. 1164] (the
 2 "Objection") to Credit Suisse's Motion to Compel Reimbursement of Fees and Expenses" [Doc. No.
 3 1143] (the "Reimbursement Motion") on an Order Shortening Time (the "OST Motion"), the
 4 Declaration of James B. MacRobbie, Esq., filed in support thereof and the Attorney Information
 5 Sheet filed and served therewith, and good cause appearing therefore,

6 IT IS HEREBY ORDERED and notice is hereby given that the OST Motion is, and the same
 7 hereby is GRANTED.

8 IT IS FURTHER ORDERED that the Approval Motion shall be heard on shortened time by
 9 the Honorable United States Bankruptcy Judge Linda B. Riegle, in the Foley Federal Building, 300
 10 Las Vegas Boulevard South, Third Floor, Courtroom 1, Las Vegas, Nevada 89101, on the 24th
 11 day of August, 2010, at the hour of 1:30 p.m.

12 IT IS FURTHER ORDERED that any objections or oppositions to the Approval Motion shall
 13 be filed and served by August 18, 2010; any replies thereto shall be filed and
 14 served by August 23, 2010.

16 IT IS SO ORDERED.

17 Respectfully Submitted by:

18 SYLVESTER & POLEDNAK, LTD.

19 By James B. MacRobbie
 20 James B. MacRobbie, Esq.
 21 7371 Prairie Falcon Road, Suite 120
 22 Las Vegas, Nevada 89128
*Attorneys for Creditor Credit Suisse,
 Cayman Islands Branch*

23 # # #

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